OIPE JC68
OCT 04 2004
PATENT & TRADEMARK OFFICE

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/073,091
Filing Date	February 12, 2002
First Named Inventor	Frederick A. Donahue et al.
Group Art Unit	2877
Examiner Name	Roy M. Punnoose
Total Number of Pages in This Submission	
Attorney Docket Number	D/A0944 (1508/3330)

ENCLOSURES *(check all that apply)*

- ☐ Fee Transmittal Form
  - ☐ Fee Attached
- ☒ Amendment / Reply
  - ☐ After Final
  - ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Notice to File Missing Parts/ Incomplete Application
  - ☐ A copy of the Notice to File Missing Parts under 37 CFR 1.52 or 1.53
- ☐ Assignment Papers *(for an Application)*
- ☐ Drawing(s)
- ☐ Declaration and Power of Attorney
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) _____
- ☐ After Allowance Communication to Group
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☐ Application Data Sheet
- ☐ Request for Corrected Filing Receipt with Enclosures
- ☒ A self-addressed, prepaid postcard for acknowledging receipt
- ☐ Other Enclosure(s) (*please identify below*):

Remarks

☒ The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 14-1138 for the above identified docket number.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm *or* Individual name	Gunnar G. Leinberg, Esq. Nixon Peabody LLP Clinton Square, P.O. Box 31051 Rochester, New York 14603-1051 Telephone: (585) 263-1014 Fax: (585) 263-1600
Signature	Registration No. 35,584
Date	October 1, 2004

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

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October 1, 2004
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Sherri A. Moscato
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OIPE JC68
OCT 04 2004
PATENT & TRADEMARK OFFICE

2877

PATENT
Docket No.: **D/A0944 (1508/3330)**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants	:	Frederick A. Donahue and Eric A. Merz	Examiner: Roy M. Punnoose
Serial No.	:	10/073,091	
Cnfrm. No.	:	3074	Art Unit: 2877
Filed	:	February 12, 2002	
For	:	SYSTEM AND METHOD FOR IDENTIFYING OBJECTS	

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Restriction Requirement mailed on September 9, 2004, Applicants hereby elect the invention of Group I which includes claim 1-22 with traverse. Applicants traverse the restriction requirement on the basis that the claims of the present application require common areas of search and consideration. Since no serious burden exists for search and examination of the groups defined in the outstanding office action, no benefit is derived from imposing restriction among Groups I and II. Therefore, the restriction requirement should be withdrawn. In view of all of the foregoing, Applicants submit that this case is in condition for allowance and such allowance is earnestly solicited.

Respectfully submitted,

Date: October 1, 2004

Gunnar G. Leinberg
Registration No. 35,584

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Date 10/1/04 | Sherri A. Moscato